

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

LINDA GLAHN and,
DAVID GLAHN

Plaintiffs,

V.

TRUMP ENTERTAINMENT,
RESORTS, INC., et al.,

Defendants.

Civil No. 07-04181 (RBK)

ORDER

THIS MATTER having come before the Court upon its own motion; and

IT APPEARING TO THE COURT that the Amended Complaint invokes 28 U.S.C. § 1332 in support of federal subject matter jurisdiction over this civil action; and

IT FURTHER APPEARING TO THE COURT that this Court issued an Order on September 10, 2007, ordering Plaintiffs Linda and David Glahn (“Plaintiffs”) to file an Amended Complaint properly alleging the citizenship of every party, under pain of dismissal; and

IT FURTHER APPEARING TO THE COURT that Plaintiff filed an Amended Complaint on September 12, 2007; and

THE COURT FINDING THAT the Amended Complaint states that Count Three is against “Trump Plaza Associates, LLC” and that “[d]efendant, Trump Plaza Associates, is a citizen of the state of New Jersey being incorporated in the State of New Jersey and having its principal place of business in Atlantic City, New Jersey” and that the Amended Complaint

contains no further averments as to the citizenship of Defendant Trump Plaza Associates, LLC;
and

THE COURT NOTING THAT where “a firm is not a corporation, its citizenship is determined by the citizenship of its proprietor, partners, members, or other principals,” Wild v. Subscription Plus, Inc., 292 F.3d 526, 528 (7th Cir. 2002); Rolling Green MHP, L.P. v. Comcast SCH Holdings, LLC, 374 F.3d 1020, 1022 (11th Cir. 2004); and that a limited liability company is not a corporation;

IT IS HEREBY **ORDERED** that this case be **DISMISSED** for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(h)(3).

Dated: October 5, 2007

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge